

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

JOHN C. GRIMBERG COMPANY, INC.,

Plaintiff,

v.

XL SPECIALTY INSURANCE
COMPANY *et al.*,

Defendants.

No. 1:23-cv-01690

MOTION TO DISMISS

Defendants XL Specialty Insurance Company (“XL Specialty”) and XL Insurance America, Inc. (“XL America”) move under Federal Rule of Civil Procedure 12(b)(6) to dismiss this action with prejudice for failure to state a claim upon which relief can be granted. The reasoning and authorities supporting this motion are set out in the accompanying memorandum.

Respectfully submitted,

/s/ Thomas S. Garrett

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CERTIFICATE OF SERVICE

I certify that this motion was served on all counsel of record by filing it through this Court's CM/ECF system.

/s/ Thomas S. Garrett

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